

JOSEPH P. RUSSONIELLO (CABN 44332)
United States Attorney

BRIAN J. STRETCH (CABN 163973)
Chief, Criminal Division

JOHN N. GLANG (GUAMBN 94012)
Assistant United States Attorney

150 Almaden Boulevard, Suite 900
San Jose, California 95113
Telephone: (408)-535-5084
Fax: (408)-535-5066
E-Mail: John.Glang@usdoj.gov

E-FILED - 5/6/10

Attorneys for Plaintiff

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
v.)
)
MISAEAL SANDOVAL-RODRIGUEZ)
)
Defendant.)
_____)

No. CR 05-00162-RMW

STIPULATION AND []
ORDER RESCHEDULING STATUS
HEARING AND EXCLUDING TIME

IT IS HEREBY STIPULATED by the undersigned that the status hearing in this case, currently scheduled for Monday, May 3, 2010 at 9:00 a.m., be vacated and rescheduled for Monday, June 7, 2010 at 9:00 a.m. The parties further stipulate that the court may exclude the period of time from May 3, 2010 through and including June 7, 2010 from the computation of the period of time within which the trial must commence for the reasons set forth in the proposed order below.

It is so stipulated.

Dated: 4/30/10

/s/
JOHN N. GLANG
Assistant United States Attorney

1 Dated: 4/30/10

/s/
MATTHEW J. JACOBS
Attorney for Misael Sandoval-Rodriguez

2
3
4 **ORDER**

5 Based upon the stipulation of the parties, it is hereby ordered that the status hearing in this
6 case, previously scheduled for Monday, May 3, 2010 at 9:00 a.m., be vacated and rescheduled
7 for Monday, June 7, 2010 at 9:00 a.m.

8 Pursuant to Title 18, United States Code, Section 3161(h), the court excludes the period of
9 time from May 3, 2010 through and including June 7, 2010 from the computation of the period
10 of time within which the trial must commence. The court FINDS that the ends of justice served
11 by the delay outweigh the best interest of the public and the defendant in a speedy trial. The
12 court bases this finding on the need of the government to analyze factual and legal issues
13 concerning a possible violation of the defendant's constitutional right to a speedy trial, and to
14 afford counsel the reasonable time necessary for effective preparation, within the meaning of 18
15 U.S.C. § 3161(h)(7)(B)(iv).

16
17 It is so ordered:

18 Dated: 5/6/10


RONALD M. WHYTE
United States District Judge